

AMENDED IN ASSEMBLY JUNE 3, 2003

AMENDED IN ASSEMBLY APRIL 29, 2003

CALIFORNIA LEGISLATURE—2003–04 REGULAR SESSION

## ASSEMBLY BILL

**No. 369**

**Introduced by Assembly Member Bermudez**

February 14, 2003

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An act to add Section 21230 to the Government Code, relating to public employees' retirement.

### LEGISLATIVE COUNSEL'S DIGEST

AB 369, as amended, Bermudez. Public employees' retirement: employment after retirement.

Existing law generally requires a person who has retired under the Public Employees' Retirement System to reinstate from retirement if he or she is subsequently employed by an employer under system. However, existing law also exempts certain types of employment from that requirement.

This bill would authorize a former employee who has retired from the Department of Corrections to ~~be appointed~~ *serve, without reinstatement from retirement*, as the superintendent, deputy superintendent, or captain of a jail or other local correctional facility that houses state inmates *pursuant to a long-term agreement*, as specified, ~~without reinstatement from retirement~~.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

*The people of the State of California do enact as follows:*

1     SECTION 1. Section 21230 is added to the Government  
2     Code, to read:  
3     21230. A former employee who is retired from the  
4     Department of Corrections may serve without reinstatement from  
5     retirement or loss or interruption of benefits provided by this  
6     system upon appointment by a contracting agency to the position  
7     of superintendent, deputy superintendent, or captain of a jail or  
8     other adult correctional facility of the contracting agency to which  
9     state inmates have been transferred pursuant to an agreement,  
10    *having a term of 20 years*, described in Section 2910 or 2910.5 of  
11    the Penal Code. Appointments under this section shall be reported  
12    to the board and shall be accompanied by the resolution adopted  
13    by the governing body of the contracting agency.

